

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claims 1-27 (cancelled)

28. (ORIGINAL) A snorkel, comprising:

an elongate breathing tube having an upper portion and a lower portion, a lower opening formed in the lower portion and an upper opening formed in the upper portion;

a mouthpiece formed at the lower opening;

a one-way valve disposed in the lower portion, the one-way valve oriented to prevent the flow of fluids through the valve into the lower portion, but to permit the flow of gases and fluids through the valve and out of the lower portion;

a check valve disposed in the upper portion, the check valve including a plate pivotable from an open position permitting airflow through the upper opening, and a closed position preventing airflow from the tube through the upper opening; and

a splash guard including a cup member on an upper end of the breathing tube, and a sliding member longitudinally slidable on the breathing tube into contact with the cup member upon submersion of the splash guard so as to substantially prevent passage of water between the cup member and the sliding member.

29. (ORIGINAL) The snorkel of claim 28, wherein the one-way valve includes a second lower opening formed in the lower portion, and a flap connected to the tubular member and extending across the second lower opening.

30. (ORIGINAL) The snorkel of claim 28, further including a spring member contacting the plate, the spring member biasing the plate in the open position, wherein the spring member exerts a biasing force against the plate, and wherein the snorkel includes means for adjusting the biasing force.

31. (ORIGINAL) The snorkel of claim 28, further including a cap connected to the upper portion and extending over the upper opening.

32. (ORIGINAL) The snorkel of claim 28, wherein at least a portion of the breathing tube is formed of a flexible material, the flexible material selected to permit a user to deform the breathing tube to approximately conform to the shape of the user's head.

33. (ORIGINAL) The snorkel of claim 32, wherein the flexible portion of the breathing tube includes a flexible wire element embedded in the flexible material.

34. (ORIGINAL) The snorkel of claim 33, wherein the flexible wire element is a wire mesh.

35. (ORIGINAL) The snorkel of claim 28, further including a second breathing tube, the second breathing tube including a lower portion and an upper portion, the lower portion of the second breathing tube connected to the lower portion of the first breathing tube and the upper portion of the second breathing tube connected to the upper portion of the first breathing tube.

36. (ORIGINAL) The snorkel of claim 35, wherein the lower portion of the second breathing tube including a second one-way valve, the second one-way valve oriented to prevent the flow of fluids into the lower portion, but to permit the flow of gases and fluids out of the lower portion.

37. (ORIGINAL) The snorkel of claim 28, further including a pair of wire members extending from the mouthpiece, the wire members for positioning in a swimmer's mouth during use.

38. (ORIGINAL) The snorkel of claim 28, wherein at least a portion of the breathing tube has a hydro dynamically efficient cross-sectional shape.

39. (ORIGINAL) The snorkel of claim 38, wherein the cross-sectional shape is an air-foil shape.

40. (ORIGINAL) The snorkel of claim 38, wherein the cross-sectional shape is a semi-circular shape.

41. (ORIGINAL) The snorkel of claim 38, wherein the cross-sectional shape is ovular.

42. (ORIGINAL) The snorkel of claim 28, further including a float coupled to the check valve, the float configured to move the check valve to the closed position when the float and upper portion are immersed in water.

43. (ORIGINAL) The snorkel of claim 42, further including a spring latch configured to latch the check valve in the closed position when the check valve is drawn closed by the float.

44. (ORIGINAL) The snorkel of claim 35, wherein the first breathing tube is an exhalation tube and the second breathing tube is an inhalation tube, the snorkel further including a one-way exhaust valve positioned to permit air from the lower portion to flow to the exhalation tube, and a one-way inhalation valve positioned to permit air from the inhalation tube to flow to the lower portion.

45. (ORIGINAL) The snorkel of claim 28, further including a strap connected to the breathing tube and attachable to a swimmer's head.

46. (CURRENTLY AMENDED) A method of blocking passage of water into a submerged snorkel, comprising the steps of:

- (a) providing a snorkel including an elongate breathing tube, an opening in an upper portion of the breathing tube, an opening in a lower portion of the snorkel, and a mouthpiece positioned at the opening, the snorkel further including a splash guard having

a cup member on an upper end of the breathing tube, the cup including an opening, the snorkel further including and a sliding member longitudinally slidable on the breathing tube;

(b) positioning the snorkel on the head of a swimmer, with the swimmer's mouth in contact with the mouth piece and in fluid communication with the opening;

(c) causing the swimmer to submerge the breathing tube in water, submersion of the splash guard causing the sliding member to slide into contact with the cup member such that the opening is positioned within the sliding member and to substantially prevent passage of water between the cup member and the sliding member.

47. (NEW) The method according to claim 46, wherein the snorkel includes a seal on an exterior surface of the breathing tube, wherein the sliding member includes a drain opening, and wherein submersion further causes the drain opening to move into sealing contact with the seal.

48. (NEW) The method according to claim 46, wherein the snorkel includes a track on the breathing tube, and wherein causing step causes the sliding member to slide along the track into contact with the cup member..